

SENATE BILL 729

E4

4lr2061

By: **Senators Jacobs, Astle, Brinkley, Colburn, Dyson, Edwards, Getty, Glassman, Hershey, Jennings, Klausmeier, Mathias, Reilly, Shank, Simonaire, and Stone**

Introduced and read first time: January 31, 2014

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety – Permit to Carry, Wear, or Transport a Handgun –**
3 **Qualifications**

4 FOR the purpose of clarifying that self–defense can qualify as a good and substantial
5 reason to wear, carry, or transport a handgun for purposes of the issuance by
6 the Secretary of State Police of a permit to carry, wear, or transport a handgun;
7 and generally relating to a permit to carry, wear, or transport a handgun.

8 BY repealing and reenacting, without amendments,
9 Article – Public Safety
10 Section 5–301(a) and (d)
11 Annotated Code of Maryland
12 (2011 Replacement Volume and 2013 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Public Safety
15 Section 5–306(a)
16 Annotated Code of Maryland
17 (2011 Replacement Volume and 2013 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Public Safety**

21 5–301.

22 (a) In this subtitle the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) "Permit" means a permit issued by the Secretary to carry, wear, or
2 transport a handgun.

3 5-306.

4 (a) Subject to subsection (c) of this section, the Secretary shall issue a permit
5 within a reasonable time to a person who the Secretary finds:

6 (1) is an adult;

7 (2) (i) has not been convicted of a felony or of a misdemeanor for
8 which a sentence of imprisonment for more than 1 year has been imposed; or

9 (ii) if convicted of a crime described in item (i) of this item, has
10 been pardoned or has been granted relief under 18 U.S.C. § 925(c);

11 (3) has not been convicted of a crime involving the possession, use, or
12 distribution of a controlled dangerous substance;

13 (4) is not presently an alcoholic, addict, or habitual user of a controlled
14 dangerous substance unless the habitual use of the controlled dangerous substance is
15 under legitimate medical direction;

16 (5) except as provided in subsection (b) of this section, has successfully
17 completed prior to application and each renewal, a firearms training course approved
18 by the Secretary that includes:

19 (i) 1. for an initial application, a minimum of 16 hours of
20 instruction by a qualified handgun instructor; or

21 2. for a renewal application, 8 hours of instruction by a
22 qualified handgun instructor;

23 (ii) classroom instruction on:

24 1. State firearm law;

25 2. home firearm safety; and

26 3. handgun mechanisms and operation; and

27 (iii) a firearms qualification component that demonstrates the
28 applicant's proficiency and use of the firearm; and

29 (6) based on an investigation:

1 (i) has not exhibited a propensity for violence or instability that
2 may reasonably render the person's possession of a handgun a danger to the person or
3 to another; and

4 (ii) has good and substantial reason to wear, carry, or transport
5 a handgun, such as **SELF-DEFENSE OR** a finding that the permit is necessary as a
6 reasonable precaution against apprehended danger.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2014.